G R S App 4 [X 4]

1942-43

File No 23-41

Previous References

Serial Nos 49-57

Later References

2nd '5' - 7410,5-4-45-5-

GENERAL AND REVENUE SECRETARIAT

Serial Nos 3

Part B for July, 43

SUBJECT

Deed to be executed in respect of land given to the Roman Catholic for the Construction of a School

G O no L. 323 dt 8/7/43

The Chairman, C D T Board

Forwards for action a revised deed to be executed by the mission

HSA
16/7

1853
L

2005 pur (1

General and Revenue Secretariat — ML File No 23 of 1941/42 — [App F III-2

Serial No	
	From the Chairman L.D.B. Bd, Mysore No B3-C454/42-43 dt 18-9-42.
49	Requests that, for the reasons stated the agreement for having given the land to the Roman Catholic Mission in Mysore for the construction of a school building may be got executed on behalf of Govt
"Y"	1 The land is anchored in GO No L 10005-9/ML23-41-41 dt 17-4-42 for the construction of a school building by the Roman Catholic Mission in Mysore has been included in the list of places where the erection of buildings is prohibited as per Notfn No 8481/ML57-3240 dt 10-6-35.
"X"	2 As the land in question was reserved by Govt, the Chairman suggests that the agreement referred to in the GO dt 17-4-42 may be got executed on behalf of Govt.
A	3 If agreed, the Law section will be requested to advise in the matter
	4 Submitted for orders with references
	5 A — may be addressed Law Secy / Law 26/9/42
	6 Information of service Law 26-9-42
	Asst Secy / Law Secy / Secy 28/9/42
	Law 399/42

NOTE—Cont Sheet

Law No 74/42

WI 41 - GIP - 000—23.10.41

2)

File No. 23 of 194 | General and Revenue Secretariat

Serial No

A digest of the opinion may be prepared for the information of the Board and then sent for Secretary in the necessary signature of the Law Secretary

Law Secretary)

3
31/10/42

8 Law 11 42

Secy Law Dept 466 Govt of Mysore

Law Secretary
2.11.42)

9) An agreement may be executed by the Chairman, City Improvement Trust Board, Mysore on behalf of Govt. The file may perhaps be sent to the Advocate-General in order to enable him suggesting the draft of an agreement to be entered into with the authorities of the Roman Catholic Mission

Secy Law Dept 466 2 Govt of Mysore

Law Secy) from
6 11 42

Law from
7-11-42

10) Forwarded with compliments to the Advocate-General in order to enable him suggesting the draft of an agreement in this behalf

CLD. 1028/10-11-42

Law 410
Secy 10/11/42

from Chamundaraja
Asst Secy to Govt
Law Dept
10/11/42

1853 L.

(3

'G.O.No.27/42.43 11) Returned with compliments.

13.11.42

It is usual for the private party to submit the draft for scrutiny. So, the party may kindly be asked to tender one.

Mysore Law Dept. 5-165 '42 Govt of Mysore

Mysore Manappa
Advocate-General.

H/12.11.42.

12) Draft approved for 13/11/42

13) Sent with a draft letter for appl.

14) For approval

14/11/42

15) Issue

14-11-42

(50) To The Chairman,
City I. T. Bd, Mysore
No L4864 dt 16-11-42
Requests that the draft gain agreement may be got prepared by the Head of the Roman Catholic Mission & sent to Govt for Consideration

Draft 19/11

Draft returned to Govt

BSSV 2044

L

Re 23 of 1942-43

Letter No B3.C454/42-43B 18.5-43 from the Chairman City Improvement Trust Board. Mysore forwarding for approval an agreement to be executed by the Roman Catholic Missionaries.

1(c) The Asst suggests that it is safer to give a value to the site & execute the deed on stamp paper. The value of the land as stated by the Chairman is Rs 14,982. (Vide flag 'D')

17) The Law section may also be consulted and their reference to para 8 supra.

Asst Comm 14/6 [illegible]

14/6 [illegible] for approval & orders.

SECY. LA 14.6.43 15/6/43

Law Secy 15/6/43

14.6.43 15.6.43

4) Forwarded into compliance with the Advocate General's request for perusing & returning the draft document.

Dy No 291/1942-43 dt 16/6/43

Dy No 1155 dt 16.6.43

Law Department

Dy No 30.127 dt 21.6.43

draft returned in pursuance of the draft as revised Marked Memo c/ Agreement 21/6/43

15/6/43

The draft deed has been suitably revised by the Advocate General & a fair copy as revised by him (sent by the Advocate General) is submitted for orders.

(Illegible) The revised draft deed received from the Advocate General may kindly be approved and a copy thereof sent to the Chairman, City Improvement Trust Board, Bangalore for approval necessary further action.

The Chairman has raised the point as to whether the agreement has got to be executed on a stamp paper of the value of calculated at Rs 6/- for every Rs 500/- of the value of the land, the same being paid by the donee accordance to section 27 of the Stamp Act. The value of the land as originally estimated at Rs 2 per square yard for 14982½ yards is Rs 14,982 or Rs 15000/- approximately. The value of stamp that would have to be paid is about Rs 190/- If is for orders if the deed may get executed on a stamp paper of the above value

Law Secy for
Secy

We may be convinced the
Vice Pat. for the Municipal Council

Deed to be executed in respect of the Land granted to the Roman Catholic Mission in Jinja for the construction of a school building

Continuation Sheet. No File No. / Current No. 23 of (4). Page.

OFFICE OF THE MINISTER FOR L.S.G & P.H
Date 2 Jan 43
No. 10.b.75

TY
- 5 JULY 1943
GEN. & REV SECTT

Hqrs

The design may be approved as revised by the D.C.
Nov 26 2.9.43

2 Dec 43
for Sec.
29 6 43
Sec
30 6 43
D.C.) draft replied
2 July

draft with a covering letter for approval
Mlle 1/7 July 2/7
D.C.) approved
7/7/43

To the Chairman, D.J.F. Bdd, Mityana
No L 3.2.3 dd 8.7.43
Forward for necessary further action
a revised copy of the deed to be
executed by the Mission etc.

B 10/7

8 L (7

No B3-c454/42-43

Office of the Chairman
City Improvement Trust Board Mysore,
Dated 18th September 1942

Pl Jud 23-2,1-42

From

B S RAGHAVENDRA RAO, Esq MA (Hons),
Chairman, City Improvement Trust Board,
MYSORE

SECY LAW DEPT 1942 GOVT OF MYSORE

C. Narayanaswamy Naidu, Esq B A , B L ,
Secretary to the Government of His Highness
the Maharaja of Mysore, Law Department,
Bangalore

Sir,

I have the honour to forward herewith the file of this Office relating to the grant in Narasimharaja Mohalla of land to the north of the Protestant Cemetry for the construction of a High School building by the Roman Catholic Mission and to state that in sanctioning the grant under Section 41 (2) and 116 (1) of the Mysore City Municipalities Act, Government have in their Order No L 1005-9/M1 23-41-41 dated the 17th April 1942 observed that the usual agreements should be taken from the grantees, and, wish to enclose herein a copy of the letter received from the Government Pleader to whom the papers had been sent for getting a draft of the agreement to be executed

"Y"

In this connection I wish to state that this was one of the several lands which had been reserved by Government under Section 116(1) of the Mysore City Municipalities Act of 1933 (vide Sl No 31 in Notification No L 8481/M1 57-32-20 dated 10th June 1935) and has therefore been sanctioned by Government in view of the necessity for a school building in the area This land was not the property of the Municipality and so the Municipality cannot be the person who could be a party to the agreement The document has therefore to be executed either by the Trust Board or the Government Taking however all circumstances into account, it seems to me best that the document in question is executed on behalf of Government This will make it easier also to enforce the conditions of agreement, if ever they are not kept up

"X"

I therefore request that if this proposal is approved, an agreement may kindly be got drafted by the Advocate General and the

(Next page please)

Catholic Mission will meet called upon to execute the same

I have the honour to be,

Sir,

Your most obedient servant,

B. Neshaweed

Chairman. 18/5

HRS.

Letter No. G.P.18/42-43 dated 18th July 1942 from the Government Pleader, Mysore, to the Chairman, City Improvement Trust Board, Mysore.

With reference to your No.3724 dated 15-6-42, requiring me to give a draft of a deed to be executed in respect of land given for the construction of a High School in Narasimharaja Mohalla, I have the honour to state that before I can give the draft I should like to know the person or corporation with full name and address, in whose favour the document has to be executed and the corporation or body that executes it. Does the land that has been decided to be given belong to the Municipality or Trust Board or to the Government? On whose behalf is the document to be executed? Is it on behalf of the Municipality, or the Trust Board or the Government? and who is the individual that represents one of the above? I should also like to know the value of the property that is to be given. If the document is to be executed on behalf of the Government, then no stamp duty is necessary.

In Government Order No.L.0005-9-Ml.23/41-42,dated 17th July 1942, it is stated that under Section 41 (2) and Section 116 (1) of the Municipalities Act, grant free of cost, of the plot of land has been sanctioned to the Roman Catholic Mission authorities at Mysore for constructing a school building subject to certain conditions as suggested by the Chairman of the Trust Board and also subject to the building being constructed according to the plan approved by Government. The provisions of Section 41(2) apply only to lands belonging to the Municipality and if it is the Municipality that gives the land.

On receipt of the particulars mentioned above, I shall send the necessary draft. I herewith return the file of papers sent with your letter under reference as they may be needed by you for reference. The papers may be sent to me once again with the particulars mentioned above, for giving the draft.

" Copy. "

B. Narasimhaiah
for Chairman.

HRq

Appendix F G—1]

SUBJECT

Section ml
File No. 23-41
Serial No. 50

Diary No of letter replied to

No. L 4864
Records

General and Revenue Secretariat
( )
the *19*

To The Chairman, C.I.T. Bd, Mysore

Date of issue .. 16.11.42

Sir,

Signed by Mr. G.R.Rao.

With reference to your letter no B 3-C454/42-43 dt 8-9-42 requesting that an agreement for having given the Land to the Roman Catholic Mission in Mysore, for the construction of School building may be got executed on behalf of Govt, I am directed to the draft of request that an agreement prepared by the Head of the Roman Catholic Mission may be got drawn and submitted to Govt for considera-

List of enclosures

Copied by

to be entered into by the Govt & the party

Examined by

WD 086—GPB—40,000—30-7 40

(11 2044

No B3 - C.454 / 42-43.
Enc. 2.

Office of the Chairman,
City Improvement Trust Board, Mysore,
Dated 18th May 1943

SECY. LAW DEPT. RECD. 1943 GOVT OF MYSORE

From

RAGHAVENDRA RAO, Esq, M.A. (Hons.),
Chairman, City Improvement Trust Board,
MYSORE

Ml 23-41-

To

C.Narayanaswami Naidu, Esq., B.A., B.L.,
Secretary to the Government of His Highness the Maharaja
of Mysore, Law Department, Bangalore.

Sir,

SUBJECT:-- Re: Deed to be executed in respect of land given to the Roman Catholic Mission in Mysore, for the construction of a School building, free of cost.

With reference to your letter No.L.4864 / Ml.23-41-50 dated 16th November 1942, on the subject noted above requesting that the draft of an agreement to be entered into by the Government and the Head of the Roman Catholic Mission may be got prepared and submitted to Government for consideration, I have the honour to enclose herewith the draft of an agreement drafted by Government Pleader and a copy of letter dated 26-4-43 received from Rev: Father F.Audiau Chaplin, St.Philomina's Shrine, Mysore, in the matter , for the consideration of the Government. The Government Pleader while sending the draft agreement has stated that it is safer to give a value to the site and execute the deed on stamp paper of value calculated at Rs. 6-4-0 for every 500 (five hundred) of the value of the plot of land and that this money for stamp will have to be paid by the Donee according to section 29 of the Stamp Act.

2. Kind reference is invited to Para 5 of this office letter No.3139 dated 6-4-1943 re fixing the value of the site.

I have the honour to be,
Sir,
Your most obedient servant,

Raghavendra Rao

CHAIRMAN.

ARR.

CITY IMPROVEMENT TRUST BOARD,

MYSORE

(12

Dated 14th May 1943.

Copy of the letter Dated 26th April 1943 received from Rev.Father.F.Audiau, Chaplin, St.Philomena's shrine, Mysore, Adressed to the Chairman, City Improvement Trust Board, Mysore.

*** ***

With reference to your letter No. B.3.-C.454/42-43, I beg to state that the name of the Head of the Roman Catholic Missionary in Mysore is His Excellency the Bishop of Mysore, Mgr.Rene Feuga, D.D.Bishop's House, Mysore.

I send you a copy of the draft agreement, similar to yours. I put only the words. School Building, wherever the words <u>High School</u> were coming. I wish that the words School Building are put in the agreement.

"C O P Y"

CHAIRMAN.

CITY IMPROVEMENT TRUST BOARD, MYSORE.

MYSORE

Dated 18th May 1943

DEED OF GIFT — A GRANT

This deed made on the ..... day of ..... One Thousand Nine Hundred and Forty-three between the Government of Mysore represented by the B.S.Raghavendra Rao, Esquire, M.A., (Hons), Chairman, City Improvement Trust Board, Mysore, hereinafter called the Donor, and the Roman Catholic Mission, Mysore, represented by His Excellency the Bishop of Mysore, Mgr.Rene Feuga, D.D.Bishop's House, Mysore City, hereinafter called the Donee, witnesseth as follows:—

WHEREAS the Donee applied for the grant of a plot of land free of cost for the construction of a building for locating a High and Middle School;

AND WHEREAS the Government have, sanctioned in their order No.L. 10005-9/M1.23-41-41 dated, Bangalore, 17th April 1942, the grant of the plot of land mentioned in the schedule below free of cost, subject to the conditions (a) that the building has to be constructed according to the plan approved by the Government of Mysore and (b) that if the building should be used for any purpose other than a High and Middle School the Government of Mysore will be entitled to take back the plot of land with the structure which will be put on it by the Donee, paying to the Donee the Market value of the building as determined by the - - Engineering officers of the Government of Mysore;

AND WHEREAS the Donee has agreed to and accepted the conditions - above mentioned; NOW THESE PRESENTS WITNESS that the Donor doth hereby grant and convey free of cost, to the Donee the plot of land mentioned in the schedule below, the - - Donee having been ready to put in possession of the plot of land;

And that the Donee (1) the Donee hereby agrees to put a building on the plot of land for the purpose of locating a High and Middle School according to the plan approved by the Government of Mysore;

(2) The Donee further agrees to use the land and buildings only for the purpose of locating a High and Middle School, and the Donee hereby agrees to the Donor resuming the plot of land with the buildings to be put on it in case the building is used for any purpose other than a High and Middle School, on payment to the Donee the value of the buildings as estimated by the Engineering Officers of the Government at the time of resumption.

In this deed the word Donee includes the assigns, and transferees of the Donee and also those who in law represent the Donee and also the successors in interest of the Donee.

(3) This original deed will remain with the Donor and a certified copy of it will remain with the Donee.

SCHEDULE.

X X X X X X X X

IN WITNESS whereof the Donor and the Donee have set their hands to this deed this ..... day of ..... One Thousand Nine Hundred and Forty-Three.

Witnesses:-

1) Sd.

2) Sd.

ARR.

Copy

Revised & recorded
elsewhere
CLG
(A.G.) 18/6/43

(15

Appendix F G—1]

SUBJECT

Section Ml
File No 23-41
Serial No 51

Diary No of letter replied to

No L323

To

The Chairman.
C.D.T. Bd, Mysore

General and Revenue Secretariat

( )

the *194*

Date of issue 8/7

Signed by

Sir,

With reference to the Correspondence ending with your letter No B3-c454 42-43 dt 18-5-43 in the of the deed to be executed in respect of the land granted free of cost to the Roman Catholic Mission in Mysore, for the construction of a school building, I am directed to forward herewith for necessary further action a revised copy of the deed.

List of enclosures

Copied by

T.S.: Please type flag "S"

Examined by

WD 04161—GPB—60 000—24 10 41

16

be executed by the Missionaries.

As regards the execution of the deed on a stamp paper, I am to state you may ~~[illegible]~~ consult ~~[illegible]~~ with the Legal Advocate in the Share etc

Yours very obediently
Law Deptt
1/7

Rene. to No 127/1942-43 By 21 6 43

(17

GRANT made this . day of (June) 1943 by the Government of His Highness the Maharaja of Mysore, represented by the Chairman, City Improvement Trust Board, Mysore, for the time being, viz ,B. S. Raghavendra Rao,Esq., ~~M~~ M.A., (Hons).,hereinafter called the Grantor, to the Roman Catholic Mission, Mysore, represented by His Excellency the Bishop of Mysore, Mgr. Rene Feuga, D.D , Bishop's House, Mysore City, hereinafter called the Grantee, which term shall, except where the context otherwise requires, include the Grantee's successors in interest, in respect of the plot of land described in the schedule written below, and hereinafter referred to as the scheduled land

WHEREAS the Grantee applied to the Government for the ~~free~~ grant of a plot of land for the purpose of erecting buildings thereon for locating a High and Middle School,

WHEREAS the Government have, in their Order No L. 10005-9/M1 23-41-41, dated Bangalore, 17th April 1942, sanctioned the ~~free~~ grant of the scheduled land subject to the terms and conditions hereinafter set forth, and

WHEREAS the ~~Donee~~ Grantee has agreed to and accepted the said terms and conditions,

NOW THESE PRESENTS WITNESS that the Grantor makes a ~~free~~ grant to the Grantee of the scheduled land the Grantee having been already put in possession thereof,

And that the Grantee agrees as follows -

(1) That the Grantee will erect buildings on the scheduled land for the purpose of locating and running a High and Middle School, according to the plan to be submitted to and approved by the Grantor,

(2)

(2) That the Grantee will use the scheduled land and the buildings to be erected thereon solely for the purpose of locating and running a High and Middle School,

(3) That the Grantor shall have the right to resume the scheduled land together with the buildings which shall have been erected thereon in case the land and/or buildings or any part thereof be used for any purpose other than for running a High and Middle School, on payment to the Grantee of the value of the said buildings as on the date of resumption, as estimated by the Engineering Officers of the Grantor; and

(4) That the original of this Grant shall remain with the Grantor and a true copy thereof signed to be such by the Grantor shall be handed over to, and remain with, the Grantee.

Schedule.

x x x x x x

IN WITNESS WHEREOF the Grantor and the Grantee have hereunto set their hands the year and date aforesaid.

Sd.

Sd.

Witnesses.-

1.

2.

Draft.
Advocate-General.

H/21.6.43.

G R S IX-5]

Previous references

1919.

(Dec)

File No 302-9

Serial Nos 1-2

Later references

GENERAL AND REVENUE SECRETARIAT.

Serial Nos

Part B for March 20

SUBJECT.

Suggesting the desirability of deputing an officer and a chemist to visit Java U.S.A. in connection with the revision of the U.S.A. Pharmacopoeia as regards the standard requirements of sandal wood oil

No 9194/B/30 3 20

To the Secretary Research Board

Sahib Would you please do me the favour to consider it necessary to take any such action as the matter is receiving attention from Dir S & F. Respectfully

M Ismail
1/4/20

W D 1180—GPE—80,000 28-1-19